IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 11TH APRIL 2007 / 21ST CHAITHRA 1929

Bail Appl..No. 2092 of 2007()

AGAINST THE JUDGEMENT/ORDER IN WPC.3460/2007 Dated 13/02/2007
C.R.NO.230/06 OF CHENGANNUR EXCISE RANGE

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: PETITIONER/ACCUSED

RAJAN NAIR, S/O.KUNJU PANICKER,
RAJAMANDIRAM, ERNAKKADU VILLAGE,
CHENGANNUR, ALAPPUZHA DISTRICT.

BY ADV. SRI.VINOD J.DEV
SRI.PRAMOD J.DEV

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 2092 OF 2007

Dated this the 11th day of April, 2007

O R D E R

Petitioner, who is the accused in C.R.No.230/06 of Chengannur Excise Range for an offence punishable under section 8(2) of the Abkari Act for allegedly having been found in possession of 20 litres of illicit arrack on 11.12.06, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. It is too early to accept the petitioner's contention that he has been falsely implicated in the case. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate having jurisdiction and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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